THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.9900 of 2006

Dated: 20-06-2006

Between:

Chitram China Jangaiah and eighteen others.

..... PETITIONERS

AND

The Mandal Revenue Officer, Ranga Reddy District, and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.9900 of 2006

ORDER:

The petitioners, who are nineteen (19) in number, state that they are in possession of the land admeasuring Acs.40.00 in survey No.138 of Almasguda Village, Saroornagar Mandal, Ranga Reddy District, for about five decades. They filed a writ petition, being W.P.No.17489 of 2003, seeking a direction to the respondents to consider their representation dated 06-07-2003 for regularization of their possession. They also filed other writ petitions. This Court disposed of said writ petitions directing the respondents to consider the representation of the petitioners for regularization/alienation and also further directing not to dispossess the petitioners during the pendency of consideration. It is now alleged that first respondent came to the land on 18-05-2006 and threatened the petitioners with eviction on the ground that the land in possession of the petitioners is required for providing houses under Rajiv Gruha Kalpa Housing Scheme. Therefore, the present

writ petition is filed seeking a direction to the respondents to forbear from dispossessing the petitioners from the land in survey No.138 without considering their representation.

When the matter was initially listed on 23-05-2006, this Court, while issuing notice before admission, ordered *status quo.* When the matter is called today, the learned Assistant Government Pleader for Revenue (Assignment) submits that considering the representation of the petitioners dated 06-07-2003, the Mandal Revenue Officer, first respondent herein, has passed orders vide memo No.B/10082/2004 dated 20-09-2005 informing that the request of the petitioners for regularization of their possession of the land in survey No.138 admeasuring Acs.40.00 cannot be considered. Thus, the request of the petitioners has been rejected. The relevant correspondence is placed before this Court and the same is made part of the record. In the said memo dated 20-09-2005, first respondent has stated as under.

> The matter has been examined in detail. As per the Revenue Records the total extent of the Sy.No.138 is Ac.65-02 gts and classified as Gairan. The lands in Almasguda Village are covered in G.O.Ms.No.1409 Revenue (G) Department Dated 19-08-1978 where the assignment is prohibited.
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> Further the Collector, Ranga Reddy District has informed that this land is under requisition to A.P. Housing Board for housing purpose under Rajiv Gruhakalpa scheme for economically weaker section people. Further with growing momentum of urbanization, city is expanding rapidly and ban orders issued earlier have become all the more relevant. Socio-economic scenario is changing and agriculture in these areas is no more a good utilization of a scarce and fast vanishing public resource. In fact it is a bad utilization of a scarce resource when the land is required is for housing for greater benefit to larger number of poor people government is facing problems. Under Rajiv Gruhakalpa Scheme large number of applications of applicants have opted for Almasguda Village.
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> In view of the above, the Sri Chittam Chinna Yadaiah and (19) others are hereby informed that the request to regularize their possession on payment of minimum Government value cannot be considered.

Now that the representation of the petitioner has been considered and request for regularisation/alienation is rejected, the cause of action for the petitioners does not survive. If the petitioners are aggrieved by the rejection, it is open to them to seek appropriate proceedings before proper Forum.

The writ petition, with the above observations, is dismissed. No costs.

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(**V.V.S.RAO, J**)

20th June, 2006

ghn